

June 19, 2019



**Talbot County Planning Commission**  
**Final Decision Summary**

Wednesday, May 1, 2019 at 9:00 a.m.

Bradley Meeting Room

11 N. Washington Street, Easton, Maryland

**Attendance:**

Commission Members:

Paul Spies, Chairman  
Phillip "Chip" Councill, Vice Chairman  
William Boicourt  
Michael Strannahan

Staff:

Mary Kay Verdery, Planning Officer  
Miguel Salinas, Assistant Planning Officer  
Brennan Tarleton, Planner I  
Elisa Deflaux, Environmental Planner  
Carole Sellman, Recording Secretary

**1. Call to Order**—Commissioner Spies called the meeting to order at 9:00 a.m.

**2. Decision Summary Review**—April 3, 2019—The Commission noted the following corrections to the draft decision summary:

- a. Line 88, after ";;" correct to read: "money for a new system has been applied for."
- b. Line 309, Commissioner Boicourt asked what are MERLIN Resource Maps. Ms. Verdery responded they are state resource maps that have different layers of environmental features and resources you can apply to see the overlay on your property; Maryland Environmental Resources and Land Information Network (MERLIN).
- c. Line 364, replace "500 fee" with 500 square feet".
- d. Page 9, should correct page numbers to 9 of 9.

**Commissioner Councill moved to approve the draft Planning Commission Decision Summary for April 3, 2019, as amended. Commissioner Strannahan seconded the motion. The motion carried unanimously.**

Commissioner Spies explained there were only four (4) members of the Commission present and that a tie vote is considered a negative vote. He stated that any applicant may choose to withdraw their application until the next month without penalty.

**3. Old Business**—None.

**4. New Business**

- a. Preliminary Small Scale Subdivision—Bradbury Farm, LLC #M1168—32652 Matthewstown Road, Easton, Maryland 21601 (map 19, grid 23, parcel 57, zoned Agricultural Conservation), Brett Ewing, Lane Engineering, LLC, Agent.

Mr. Tarleton presented the staff report for a Small Scale Subdivision Preliminary Plat to divide Tax Parcel 57 part of Deed Parcel 3 into Tax Parcel 57 Lot 1 and Tax Parcel 57 part of Deed Parcel 3 Remaining Lands. The subdivision also establishes a 40' wide private road right-of-way to be identified as Williams Farm Lane on a property located at 32652 Matthewstown Road, Easton, Maryland. According to *Talbot County Code* §190-66.2.B.2., decisions on Small Scale Subdivisions shall be made by the Planning Commission.

Staff recommended conditions include:

1. Address the April 10, 2019 Technical Advisory Committee comments from the Department of Planning and Zoning, Department of Public Works, Environmental Health Department, Talbot Soil Conservation District and the Environmental Planner prior to the Final Plat submittal.

Brett Ewing, of Lane Engineering, LLC, appeared before the Commission with the applicants, Richard Hutchison and Wanda Hutchison. Mr. Ewing stated that this is a Small Scale Subdivision due to the proposed private road. He described the application as a single-lot subdivision, two acres in size, and has a MALPF (Maryland Agricultural Land Preservation Foundation) easement on the site. He added they have obtained preliminary approval from MALPF and will obtain final approval once the County approval is obtained. Mr. Ewing noted the layout is exactly as it was presented at the March Planning Commission and requested they consider preliminary/final approval.

Commissioner Boicourt asked if Staff was agreeable to that request. Mr. Tarleton responded that Staff was agreeable.

Commissioner Spies asked for public comments; none were made.

**Commissioner Boicourt moved to approve the Bradbury Farm, LLC, c/o Richard Hutchison, 32652 Matthewstown Road, Easton, Maryland, for Small Scale Subdivision preliminary/final approval; with all staff recommendations being complied with, and to proceed to Compliance Review Meeting. Commissioner Strannahan seconded the motion. The motion carried unanimously (4-0).**

Mr. Hutchison noted that the last time he was in front of the Planning Commission they discussed non-conforming residential structures. He stated his preference that non-conforming residential structures should only be appropriate to waterfront lots, otherwise it's a burden on the rest of the County. Commissioner Boicourt asked staff if a text amendment to Chapter 190 would be required. Ms. Verdery responded in the affirmative.

b. (1) Major Site Plan—Price’s Yacht Canvas #SP605—1111 Talbot Street, St. Michaels, Maryland 21663 (map 32, grid 10, parcel 105, Lot 5W, zoned General Commercial), Christopher Waters, Davis Bowen & Friedel, Inc., Agent.

(2) Waivers:

- (a) §190-17.4E.2. Required parking located must be located at the side or rear of buildings in the Gateway Overlay District (GWO)
- (b) §190-17.5 Table III-11 B.1. Maximum permitted front setback for a building in the GWO from a road right-of-way of 100’
- (c) §190-17.5 Table III-11 C.1. Minimum 20’ landscape yard in the GWO
- (d) §190-17.4 G. Refuse areas required to be located in the side or rear yard in the GWO.
- (e) §190-40.5 Perimeter landscape yards.
- (f) §190-41.3 Table V-6 Required off-street parking

Mr. Tarleton presented the staff report for the Major Site Plan. He stated the project is for an 18’ x 36’ office addition, classified as a general service land use, as well as a 12’ x 33’11” covered entranceway porch. The applicants are also requesting waivers of the following Code requirements to include: parking requirements of the gateway overlay district, maximum front setback of the gateway overlay district, minimum 20-foot landscape setback in the Gateway Overlay District, location of refuse in the Gateway Overlay District, perimeter landscape yards, and minimum off-street parking.

Staff recommended conditions for approval of one or more of the waivers:

- 1. The existing accessory shed located within the new yard of the property must be removed prior to final site plan approval.
- 2. The refuse area proposed to the front yard of the property has a fenced area surrounding it for screening purposes. The applicant has not yet provided a detail for the proposed fence. In order to ensure sufficient screening this fence must be constructed of an opaque material.
- 3. The applicants shall take all of the required steps and acquire all necessary approvals required for a Major Site Plan as specified in the *Talbot County Code*.

Staff recommended conditions for approval of the Major Site Plan include:

- 1. Address the April 10, 2019 Technical Advisory Committee comments from the Department of Planning and Zoning, Department of Public Works, Environmental Health Department, Talbot Soil Conservation District, and the Environmental Planner.
- 2. The applicants shall make applications to and follow all of the rules, procedures, and construction timelines as outlined by the Office of Permits and Inspections regarding new construction.

- 145 3. The applicants shall commence construction on the proposed improvements  
146 within twelve (12) months from the date of final approval.  
147

148 Chris Waters of Davis, Bowen and Friedel, Inc. appeared before the Commission  
149 with applicant Steve Price. Mr. Waters stated Mr. Price has been at this business  
150 since 1995. He added that they work with a lot of material canvas and would like  
151 to have an addition to the building for material and storage space as well as a lay-  
152 out space in the floor area.  
153

154 Mr. Waters indicated that they would like to eliminate one of the parking lot  
155 spaces nearest the trees and expand the landscape buffer; negating the need for a  
156 buffer waiver. He stated that Mr. Price has a storm water feature on the right side  
157 of the pond so they kept all of the landscaping on the other side.  
158

159 Mr. Price stated that in addition to himself and his partner, they have four full-  
160 time employees. He explained that they need more room to lay out canvas on the  
161 floor, office space, and a porch on the front of the building to provide a more  
162 pleasant appearance. He noted they want the business to remain on the property  
163 but they are tight on space and need more room.  
164

165 Staff asked if there would be a problem for the trash truck to arrive for collection.  
166 Mr. Waters responded they currently have the dumpster angled and they plan to  
167 mirror the location in the site plan so the truck can back in and pick up the trash.  
168 He also stated there is a portable shed behind the building that will be removed  
169 from the site.  
170

171 Commissioner Boicourt asked if all of the employees parked out front. Mr. Price  
172 responded in the affirmative. Commissioner Boicourt asked if a reduction in  
173 parking spaces would cause a problem for customers. Mr. Price responded that  
174 most of the customers do not live in the area; they send their orders by mail and  
175 they either never meet or he goes to their boats for measurements.  
176

177 Commissioners Boicourt and Councell stated they felt that the extra parking space  
178 would be beneficial for future customer use. They asked for staff comments. Mr.  
179 Tarleton stated they had left the option up to Mr. Waters and Mr. Price, but the  
180 safer option is to support the waiver.  
181

182 Commissioner Boicourt mentioned the letter from the Town of St. Michaels and  
183 noted that anything done to improve the look coming into St. Michaels would be a  
184 community benefit.  
185

186 Ms. Deflaux stated that a note can be included on the site plan that allows the  
187 Planning Officer to require more parking spaces when parking becomes  
188 inadequate. Her concern, she noted, is that there are large loblolly pines on the  
189 property and believes a tree will be impacted by the additional parking space;  
190 parking would be in the critical root zone and under the canopy of the tree. She

also noted that the loblolly pine is self-pruning and can be an insurance hazard. She further stated that there were plants that could be planted in the canopy of the loblolly pine for landscaping.

Commissioner Councell asked the applicant if they felt they needed the parking space. Mr. Price responded that the front of the building is going to be decorative and the parking space is needed over a bush or two. They are going to make it as appealing as possible with planting and shrubbery.

Commissioner Boicourt stated he would prefer not waiving the landscape buffer and having the applicant work with Ms. Deflaux on the landscaping plan.

Commissioner Strannahan noted there is only one spot for customers if the Planning Commission grants the parking waiver.

Commissioner Spies stated he is comfortable with the direction that Mr. Waters and Mr. Price are going as they are converting a square shed to a useable property and adding more appeal on the approach to St. Michaels. He noted what the project is trying to do is consistent with the purpose of the Gateway Overlay District. Commissioner Spies added that the project moving forward will help the applicant become a successful, economically viable business.

Mr. Waters stated he might be able to take the parking spaces and move them to the other side although they would still need the landscaping waiver to not harm the tree.

Commissioner Councell asked the Commissioners if they were comfortable with granting the waivers with a condition that the applicant works with staff to maximize the landscaping. The Commission members were comfortable with the suggestion.

Commissioner Boicourt asked if they were waiving the sidewalk requirement. Mr. Tarleton responded in the affirmative. Mr. Boicourt stated that the Commission has to consider requiring the sidewalks on future projects, but he is comfortable with waiving the sidewalk on this project. Mr. Waters asked the Commission if they are requiring the sidewalk easement. Mr. Boicourt responded in the affirmative.

Commissioner Spies stated that due to the pre-existing building and lot, the amount of waivers were needed to meet the Gateway Overlay District requirements.

Commissioner Spies asked for public comments; none were made.

**Commissioner Councell moved to approve the Major Site Plan for Price's Yacht Canvas, 1111 Talbot Street, St. Michaels, Maryland, with Waivers (a)**

through (g); with all staff conditions and recommendations; and to have the applicant work with Ms. Deflaux to maximize the landscaping. Commissioner Boicourt seconded the motion. The motion carried unanimously (4-0).

- c. Special Exception—BLK Ventures, LLC #19-1693—2733 Little Park Road Easton, Maryland 21601 (map 16, grid 5, parcel 50, Lot B, zoned Western Rural Conservation), Ryan Showalter and Brendan Mullaney, McAllister, DeTar, Showalter & Walker, LLC, Agent.

Mr. Tarleton presented the staff report for a recommendation to the Board of Appeals for a Special Exception to establish stables, riding trails and horse boarding (commercial) use on a property within the Western Rural Conservation (WRC) zoning district.

Staff recommended conditions include:

1. The applicant shall take all of the requested steps and acquire all necessary approvals including any additional waivers necessary, required for a Major Site Plan as spelled out in the *Talbot County Code*.

Ryan Showalter of McAllister, DeTar, Showalter & Walker, LLC appeared with applicants Bobby Cordace and Kelly McGinnis. Mr. Showalter stated the application is for a somewhat unusual use; BLK Ventures provides specialized dressage training to horses and clients may come visit and watch their horse being trained. He also stated the property will include equipment and hay storage; twelve stalls and a large open riding area; a small three-sided manure storage bin; and three parking spaces.

Commissioner Strannahan noted the staff report indicates a minimum number of 32 horses and he asked staff if the standard is actually a maximum of 32 horses. Staff responded that the staff report should indicate a maximum of 32 horses.

Commissioner Boicourt stated the use appears to be appropriate but raised the issue of water quality and manure and nutrients going into the river. Commissioner Councell stated the applicant would be required to have a nutrient management plan. Commissioner Spies stated the property seems like a nice location.

Commissioner Spies asked for public comments; none were made.

**Commissioner Boicourt moved to recommend the Board of Appeals approve the Special Exception for BLK Ventures, LLC, 27334 Little Park Road, Easton, Maryland; with all staff recommendations. Commissioner Strannahan seconded the motion. The Commission also noted the project is**

an agricultural use which meets the Comprehensive Plan. The motion carried unanimously (4-0).

## 5. Discussions Items

- a. Ms. Verdery stated there were ten applicants for the Planning Commission vacancy and interviews have not yet been scheduled. She added that by the next meeting the position should be filled.

## 6. Staff Matters

- a. Ms. Verdery stated that Bill 1376, Bill 1401, the map and text amendments that the Commission reviewed and made amendments to was combined into one bill (Bill 1411) which goes for public hearing on May 14th at 6:30 pm.
- b. Ms. Verdery stated that a Request for Proposals for consultant assistance to develop a Cordova Master Plan was sent out on May 9<sup>th</sup>.
- c. Ms. Verdery also noted that there is a group moving forward to purchase the Allen Harem Plant.
- d. Mr. Salinas stated that staff is continuing work to develop a third draft of the Working Waterfront Overlay District and the draft will have to be reviewed by Critical Area Commission staff. After Critical Area review, he continued, staff will be bringing the draft before a joint meeting of the County Council and Planning Commission. An overlay does not have to be adjacent to waterfront property and there would be three sub-districts in the overlay.
- e. Ms. Verdery stated there will be a couple of other non-Critical Area text amendments coming forward the next couple of months; some regarding piers and other items.

## 7. WorkSessions

## 8. Commission Matters

## 9. Adjournment–Commissioner Spies adjourned the meeting at 9:55 a.m.